

ORDINANCE # 261

AN ORDINANCE TO AMEND TITLE 10, SECTION 10-1-5 REGARDING MEDICAL MARIJUANA DISPENSARIES

BE IT ORDAINED BY THE CITY COUNCIL OF MARTIN, SOUTH DAKOTA,
BENNETT COUNTY, THAT:

Title 10, Section 10-1-5 regarding medical marijuana dispensaries is hereby amended in the Municipal Code of Martin, South Dakota to read as follows:

10-1-5: ISSUANCE OF LICENSE

(a) The City will issue a license unless:

1. The applicant has made a false statement on the application or submits false records or documentation; or
2. Any owners, principal officers, trustees, employees, agents, or board member of the applicant is under the age of twenty-one (21) years; or
3. Any owners, principal officers, trustees, employees, agents, or board member of the applicant has been convicted of a violent felony offense in the previous ten (10) years in any jurisdiction; or
4. The proposed location does not meet all location requirements under SDCL § 34-20G-1 *et. seq.* and the administrative rules promulgated thereunder; or
5. The license is to be used for a business prohibited by state or local law, statute, rule, Ordinance, or regulation; or
6. Any owner, principal officer, trustee, agent, or board member of the applicant has had a cannabis establishment license revoked by the City or a registration certificate revoked by the state; or
7. An applicant, or an owner, principal officer, trustee, agent, or board member thereof, is overdue in payment to the City of taxes, fees, fines, or penalties assessed against or imposed upon the applicant in relation to any cannabis establishment; or
8. The applicant will not be operating the business for which the license would be issued; or
9. There exists another reason not listed above, but for which denial of a license would not be arbitrary, capricious, or discriminatory under federal law.

(b) In the case of an application for a cannabis dispensary license, the City will reject the application if the limit on the number of cannabis dispensaries has been reached.

- (c) The license must be posted in a conspicuous and publicly accessible location at or near the entrance to the cannabis establishment so that it may be easily read at any time.

Dated this 12 day of March, 2025.

City of Martin, a Municipal Corporation

(SEAL)

Mayor

ATTEST:

Jean Kirk, Finance Officer

1st Reading Feb 12, 2025

2nd Reading March 12, 2025

Published March 26, 2025

Effective April 15, 2025